

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.229 of 2006

-

Dated:04.01.2006

Between:

C. Narayana Rao, S/o. Late Appa rao,
Gajapathinagaram Village & Mandal, Vizianagaram District,

..... PETITIONER

AND

The Visakhapatnam Urban Development Authority, Visakhapatnam,
Rep. by its Vice Chairman, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.229 of 2006

ORDER:

-

The petitioner is a Freedom fighter, and he was assigned an extent of Acs.10.00 of land comprised in Survey No.347 of Madhurawada Village, Visakhapatnam District, by way of D-Form patta, dated 25.09.1982. The petitioner was put in possession and has been enjoying the property after obtaining pattadar passbooks issued by the second respondent. It is alleged that in the last week of December 2005, some officials claiming to be the staff of respondent Nos.1 and 2 came to the land and threatened to dispossess the petitioner without following due process of law. Therefore, the present writ petition is filed, *inter alia*, seeking a direction to the respondents not to dispossess the petitioner except in accordance with law.

After obtaining instructions, the learned Standing Counsel for the Visakhapatnam Urban Development Authority (VUDA), and the learned Assistant Government Pleader for Revenue (General) deny the allegation that the officials of the revenue or VUDA have gone to the petitioner's premises/land and tried to dispossess the same. The same is recorded. Further, this Court observes that if for

any reason, the assignment made in favour of the petitioner is found to be in contravention of any law or Board Standing Orders, the petitioner can be dispossessed only after following due process of law, and till then, the petitioner cannot be deprived of the right to enjoy the property.

The Writ Petition, with the above observation, is disposed of. No costs.

(V.V.S.RAO, J)

04.01.2006

Note: Issue C.C by 05.01.2006.

B/o.

Vs